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September 30, 2015

Honorable Robert R. Sweet
United States District Court Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

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*Schoolcraft v. The City of New York, et al.,
10-cv-6005 (RWS)(DCF)*

Dear Judge Sweet:

On behalf of the plaintiff and with the consent of all parties I am writing this letter to the Court to advise Your Honor that the plaintiff yesterday filed an Acceptance of a Rule 68 Offer of Judgment made by the City Defendants and Defendant-Counterclaimant Mauriello. As a result, a significant part of this action need no longer be litigated and the joint pre-trial order needs to be revised.

Today, the remaining parties (the plaintiff, Jamaica Hospital, Dr. Bernier and Dr. Isakov) agreed to request that the upcoming deadlines for jury instructions, proposed verdict sheets, and opposition to in limine motions be held temporarily in abeyance pending the parties' appearance before the Court on October 7, 2015 at noon. At that time, the parties request the opportunity to provide the Court with a proposed schedule for proceeding with this case.

Accordingly, I am requesting that the Court grant this application adjourning the deadlines for filing a revised joint pre-trial order, proposed jury instructions, verdict sheets, and opposition to in limine motions to a new date to be set by the Court on October 7th, the next conference date.

*This request is denied
with leave granted to
renew on
October 7.*

Respectfully submitted,

Nathaniel B. Smith
Nathaniel B. Smith

By Fax (212) 805-7925
cc:
All Counsel
(by email)

*So ordered
Sweet vs at*